

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

DATE: March 13, 2014

TIMOTHY B. DYK
United States Circuit Judge
(of the Federal Circuit, sitting by designation)
Judge Presiding

Court Administrator: Rosa L. Ferguson

Law Clerk: Sanjiv Laud

Court Reporter: Chris Bickham

STRAGENT, LLC, ET AL.

V

INTEL CORPORATION

**CIVIL ACTION NO: 6:11-CV-421
JURY TRIAL**

ATTORNEYS FOR PLAINTIFF

ATTORNEYS FOR DEFENDANTS

SEE SIGN-IN SHEETS ATTACHED TO MINUTES FILED 3.10.14

On this day, came the parties by their attorneys and the following proceedings were had:

OPEN: 8:55 am

ADJOURN: 5:45 pm

TIME:	MINUTES:
	Plaintiff tendered to Clerk: Plaintiff Stragent, LLC's Third Amended Final Exhibit List , correcting admission of PTX 252.
8:55 am	Trial resumed. Jury not present in the courtroom.
	Court addressed the parties on the supplemental report and will grant Motion. Mr. Campbell has no objections.
	Mr. Albritton addressed the Court regarding the '244 Patent and the parties are in agreement that plaintiff will dismiss the '244 Patent with prejudice and that Ms. Woodford will not rely on that fact in their damages case. Mr. Albritton asked for instruction to the jury that the plaintiff voluntarily dismissed the claims. Mr. Albritton advised that the only issue at hand is that the plaintiff is asking for further instruction to the Jury that they draw no inference from the dismissing of the patent. Mr. Campbell responded. Mr. Albritton advised parties are in agreement to not to discussed the dismissal of the '244. Mr. Campbell responded regarding the no inference instruction. Court and parties discussed instructions to the Jury as to the '244 Patent.
	Ms. Bostwick addressed the Court regarding the jury instructions and advised as to Instruction #21, that parties are in agreement that it should be eliminated (comparable licenses). Court will eliminate. Ms. Bostwick addressed the Court regarding Instruction #16 on obviousness, and the parties are in agreement on that one. Court asked to submit agreed language in writing.

TIME:	MINUTES:
	Court addressed the parties rolling 16 bit CRC and has concern that the jury might think it's relevant to infringement and suggested parties to come up with instruction and asked parties to meet and confer regarding this issue.
9:05 am	Court asked for the Jury. Jury present and seated in the courtroom. Court welcomed the Jury back.
	Mr. Burman called DR. HARRY BIMS to the witness stand. Witness sworn.
	Direct examination of Dr. Bims by Mr. Burman.
	Mr. Burman passed the witness. Cross examination by Mr. Bumgardner.
	Court asked counsel to approach bench. Bench conference held.
	Cross examination continued.
	Mr. Bumgardner passed the witness. Redirect examination by Mr. Burman.
	Mr. Burman passed the witness. Recross examination by Mr. Bumgardner.
	Mr. Bumgardner passed the witness. Court asked Jury to pass up questions. Court asked counsel to approach bench. Bench Conference held (Jury has 1 question).
	Court asked for Figure 29 to be put up. Court asked witness Jury Question. Witness responded. No further questions from counsel. Witness excused.
10:40 am	Court in recess until 10:55 am.
10:55 am	Trial resumed. Jury seated in the courtroom.
	Mr. Campbell called RANDOLPH KOLVICK by Video Deposition, and time is as follow: 6 minutes for Defendant and 1 minute for Plaintiff.
	Mr. Jones called MARY WOODFORD to the witness stand. Witness sworn.
	Direct examination of Ms. Woodford by Mr. Jones.
12:03 pm	Court recessed the Jury until 1:00 pm. Asked counsel to return at 12:50 pm.
12:03 pm	Court in recess.
12:50 pm	Trial resumed. Jury not present in the courtroom.
	Court addressed the parties on the jury instructions. Court inquired if a 15 minute break at the conclusion of testimony today would allow parties enough time for review of jury instructions. Parties agreed.
	Court addressed the parties and will inform the jury of the Plaintiff's withdrawal of Claim 1 of the "244 Patent.
12:55 pm	Court in recess until 1:00 pm
1:00 PM	Trial resumed. Jury seated in the courtroom.
	MARY WOODFORD on the stand. Cross examination of witness by Mr. Albritton.
	Mr. Albritton passed the witness. Redirect examination by Mr. Jones.
	Mr. Jones passed the witness. Recross examination by Mr. Albritton.
	Mr. Albritton passed the witness. Court asked the Jury to pass up questions. No questions from the Jury. Witness excused.
	Court addressed the Jury and advised that the Plaintiff has withdrawn Claim 1 of the '244 Patent from this case; and that will leave Claim 12 & 16 of the '072 Patent. Court instructed the Jury to not make any inference as to the withdrawal of this claim.
	Mr. Campbell called GAVIN STARK to the witness stand. Witness sworn.
	Direct examination of Dr. Stark by Mr. Campbell.
2:47 pm	Court in recess until 3:15 PM.
3:15 pm	Trial resumed. Jury seated in the courtroom.

TIME:	MINUTES:
	GAVIN STARK on the witness stand. Direct examination by Mr. Campbell continued.
	Mr. Campbell passed the witness. Cross examination by Mr. Albritton.
	Mr. Albritton passed the witness. Redirect examination by Mr. Campbell.
	Court asked the jury to pass up their questions. Court asked counsel to approach bench.
	Court asked witness Juror Question. Witness responded. No further questions from counsel. Court excused witness.
	Court recessed the Jury until 4:30 pm.
4:20 pm	Court in recess.
4:30 pm	Trial resumed. Jury not present in the courtroom.
	Court addressed the parties on Dr. Stones direct today and cross tomorrow. Mr. Albritton responded and prefers to do the direct tomorrow morning. Court will bring jury in and excuse them for the day.
4:32 pm	Jury seated in the courtroom.
	Mr. Campbell indicated that the DEFENDANT RESTS.
	Court addressed the Jury about tomorrow's procedure. Court excused the Jury until 9:00 am tomorrow.
	Court addressed the parties on the charge conference this afternoon and will continue it after rebuttal case tomorrow.
	Court inquired as to objections to the verdict form. Mr. Bagatell addressed the Court. Mr. Joffre addressed the Court.
	Court will move on to final instructions and addressed the parties on additional claim construction. Mr. Campbell addressed the Court on two terms. Mr. Campbell read the proposed language referring to configuration. Mr. Joffre does object. Court does not want to add that instruction. Mr. Campbell also addressed another request regarding parallel language in the 2 nd element. Court rejects that.
	Mr. Campbell addressed the Court regarding last element in Claim 12. Mr. Joffre objects. Court will not give instruction.
	Court will move on to the final jury instructions. With respect to various claim constructions and the ones last Thursday, no need to object and objections are preserved. Court invited comments about suggested comments and changes. Mr. Bagatell and Mr. Joffre both addressed the Court on suggested changes.
	Objections to the Charge taken up.
	Court will recess for 5 minutes to get a draft from Mr. Joffre on the Doctrine of Equivalents. After cross tomorrow, Court will take up any additional objections.
5:00 pm	Court in recess for 5 minutes.
5:25 pm	Trial resumed.
	Court addressed the parties on the proposed Doctrine of Equivalents instruction. Court and parties discussed where to put it in the instructions.
	Court addressed the parties on Rule 50 Motions.
	Ms. Bostwick moved for JMOL on infringement on 2 grounds. Mr. Joffre moved for JMOL on anticipation. Mr. Joffre moved for JMOL on damages. Mr. Campbell responded. Court will deny JMOLs.
	Mr. Campbell does have JMOLs but will move for them at the end of evidence.
5:45 pm	There being nothing further, Court adjourned for the day.